respects, are considered by the Foreign Investment Promotion Board (FIPB), an inter-Ministerial body. The proposals are approved or rejected on the basis of the extant policy after inter-Ministerial consultations. The list of proposals deferred in the meeting held on 10.07.2009 is available in the public domain and can be accessed at the website of the Department of Economic Affairs *(www. finmin.nic.in).*

Illegal trading of fake products

†1959. SHRI BHAGAT SINGH KOSHYARI:
SHRI PRABHAT JHA:
Will the Minister of COMMERCE AND INDUSTRY be please to state:

(a) whether the Ministry is aware of the fact that illegal trading of huge quantities of fake products is going on in the country;

(b) if so, the details thereof and the loss of revenue each year due to illegal trading of fake products;

(c) the legal measures to deal with the problem of fake products;

(d) whether there is need to amend the present law; and

(e) if so, the Ministry's further action plan?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA): (a) and (b) There is no such information available with the Ministry.

(c) to (e) Primary responsibility for investigating the complaints of manufacturing and trading of fake products rests with the concerned State Police. Adequate provisions exist in the various laws for dealing with fake products and those who are engaged in the manufacturing and trading of pirated goods. The Trade Marks Act, 1999 provides for penalties for applying false trademarks and trade descriptions and for selling goods to which a false trademark or false trade description is applied. It also contains provisions to prevent the falsifying or the false application of trademarks, false trade descriptions, etc. under Sections 101, 102, 103, 104 and 105 of the said Act. The remedies available under the Act relate to the protection of the Intellectual Property Rights inherent in a trademark and provide both civil and criminal remedies for registered trademark owners. Action against piracy of products of registered brands, resulting in infringement of rights has to be prosecuted in the appropriate courts for securing civil and criminal remedies. The onus of initiating action against infringement of trademarks lies upon the owner of the registered trademark who can move the civil or criminal court for redressal.

Sections 101 to 105 of the Trade Marks Act, 1999 also provide for necessary penalties for falsifying and falsely applying trademarks. Offences under Sections 103, 104 and 105 are cognizable and the period of imprisonment provided is to be not less than six months with a maximum of three years and with a minimum fine of Rs.50,000/- which may extend to Rs. 2,00,000/-.

† Original notice of the question was received in Hindi.

The Indian Penal Code, 1860 also contains provisions to deal with counterfeiting and piracy. The Consumer Protection Act, 1986 can also be invoked by the consumer against the counterfeiters by filling complaints in the appropriate consumer court. The Bureau of Indian Standards Act, 1986 also contains penalties against those who use the standard (ISI) Mark without obtaining the requisite license. The Bureau detects and investigates the case of misuse of the ISI Mark and prosecutes the offenders, wherever required.

In the case of food or drugs, the offences are cognizable and the police on complaint of any person can take action against the offender.

Decline in exports

1960. SHRIMATI SYEDA ANWARA TAIMUR:
SHRI VIJAY JAWAHARLAL DARDA:
Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) what is the percentage of exports decline in 2008-09;

(b) whether this decline was for "Made in India stuff" only, or it was a world-wide phenomenon due to global recessionary trends since June, 2008;

(c) whether imports also shrunk due to squeeze in domestic demand, and continuous piling up of inventories with the manufacturers; and

(d) the details of long-term measures so that sporadic global trends do not affect our exports and imports significantly?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA): (a) to (d) Recession, particularly in developed countries, leading to erosion in demand, is a significant factor in decline of merchandise exports world wide, India's merchandise exports and imports are indicated below:

(Value in US$ billion)

Year	Exports	% Growth	Imports	% Growth
2007-08	163.12	29.2	251.65	27.0
2008-09	168.70	3.4	287.76	14.3

Data Source: DGCI&S, Kolkata

The measures announced by the Government in the stimulus packages and in the Budget 2009-10, particularly for the exporting sector, are given in the Statement.

Statement

Steps taken by Government/RBI to address the concerns arising out of present global economic slow down

(A) Measures taken by the Government:

(1) Interest subvention of 2% provided, till 30.9.2009, to the following labour intensive sectors for exports:-

Textiles (including Handlooms), Handicrafts, Leather, Gems and Jewellery, Marine Products and SMEs;